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JUN 16 2010

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

KENNETH N. BUSSIE,
Plaintiff,

Civil Action No. 7:10-cv-00137

v.

By: Hon. Jackson L. Kiser
Senior United States District Judge

F.G. AYLOR, et al.,
Defendant(s)

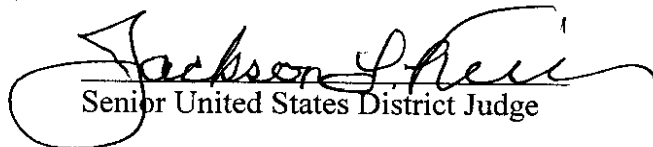
ORDER

On March 25, 2010, plaintiff, proceeding pro se, filed a civil rights action pursuant to 42 U.S.C. § 1983. The Order entered conditionally filing this action directed plaintiff to immediately notify the court upon his transfer or release from his present place of incarceration and to provide the court with his new mailing address. The filing order also warned plaintiff that a failure to notify the court of a change of address may result in a dismissal of this action. Plaintiff has had no contact with the court since he filed a "motion for violations." All paperwork forwarded to the plaintiff to his provided address has been returned as undeliverable, and plaintiff has not provided a new address by which the court can contact him.

Accordingly, the court finds that, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, plaintiff has failed to prosecute this action. See Ballard v. Carlson, 882 F.2d 93 (4th Cir. 1989), cert. denied, 493 U.S. 1084 (1990). Finding a failure to prosecute, it is hereby **ORDERED** that this action be **DISMISSED WITHOUT PREJUDICE** and all pending motions are **DENIED as moot**.

The Clerk is directed to send certified copies of this Order to the plaintiff at his last known address.

ENTER: This 16th day of June, 2010.


Senior United States District Judge